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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/507,179

02/25/2005

Ralf Widera

20811/0204769-US0

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7590

06/11/2010

LEYDIG, VOIT AND MAYER
TWO PRUDENTIAL PLAZA, SUITE 4900
180 NORTH STETSON AVENUE
CHICAGO, IL 60601

EXAMINER

LIN, WEN TAI

ART UNIT

PAPER NUMBER

2454

MAIL DATE

DELIVERY MODE

06/11/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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10507179	2/25/05	WIDERA ET AL.	20811/0204769-US0

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EXAMINER

Wen-Tai Lin

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2454	20100610
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Commissioner for Patents

The reply brief filed 5/28/10 has been entered and considered. The application has been forwarded to the Board of Patent Appeals and Interferences for decision on the appeal.

In the reply brief, Applicant made new argument citing Mimura's teaching at col. 12, lines 1-9 to show that the various statistical values are merely detected from a respective switch, therefore there is no combining process that combines the measured data into characteristic values.

In response, Applicant is reminded that:

- (1) the claims only require that the statistical values (or characteristic values) result in lower volume. Mimura's Fig. 7 shows three statistical values: transmission count, loss count, and usage bandwidth, which are derived from a larger volume of packets in a flow. Thus the making of these statistical values itself is a volume-reduction combining process. Although Mimura's statistical packets are incorporated into the original data packets flow, which result in larger overall volume, the requirement that the combined statistical values has a smaller volume is clearly met, and Applicant has never argued about this fact.
- (2) the newly cited passage at Mimura col. 12, lines 1-9 is about collection of the derived statistical data packets from the incorporated packet flow, which is a process established at a later stage of Mimura's system and has nothing to do with the volume-reduction statistical data generation process, to which the examiner mainly cited Mimura col. 6, line 65 0 col. 7, line 21 for the making.

/Wen-Tai Lin/
Primary Examiner, Art Unit 2454